

To Honorable Paul S. Grewal
Magistrate Judge

Case 5:14-cv-02887-PSG

FILED
NOV 6 2014
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



Your Honor,

Please allow me to turn to you with the following:

Since April 2013, when I returned home from our cruise and started treating the consequences of stress incurred before the cruise, I have been endlessly thinking about the occurrence at the port terminal. I often wake up at night and make a conversation in my mind. Two months ago my physician gave me medication for depression, which has not stopped. I am anxiously awaiting the decision of the Court, in order to stop thinking about the incidence, to calm down and to reconstruct my health.

It if is at all possible, I am asking to not only review the Motion to dismiss, but to also have the entire trial hearing on December 2, 2014.

If you allow, I will explain a little more. From April 2013, I informed Carnival Corp. about discrimination and did not get the right answers. Then, in June 2013 I tried to file a lawsuit in Miami, but the Court answered that I need a lawyer in order to open the case. After contacting hundreds of lawyers in Florida, Seattle and Vancouver (Canada) to help me file the case, no one had come to help me. I will submit to court my letters with their answers.

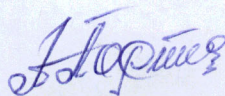
In my request to open a case in Seattle I received an answer to open it. But at the end of February 2014 I sent an email to the Court, asking to cancel the case due to:

1. My inability to pay \$400 fee at that time.
2. My finding out about the fact that the complaint was filled out in the wrong form (for plaintiff not in custody; complaint form was under 42 U.S.C. S 1983 – it relates to suing a government official in court. There was no other form for plaintiff not in custody. As I later determined, the right section to this case was S 2000). There was no reason to amend the complaint as
3. My planning to stay for four weeks in the summer in San Jose. I determined that it would be more convenient for me to apply to San Jose Court. It will be less expensive as there is no transportation to arrive in Seattle before 9 am from Vancouver, BC and no hotel expenses in San Jose since I stay with my daughter.

I sent my documents to San Jose Court four times in order to open a case, two times the documents went missing. In August 2014 I sent my passport to Israeli consulate in San Francisco, it never arrived there and is still missing. All of these occurrences, coupled together with the stress of learning the US law, the fear of not sending the papers on time, have not given me a chance to recover.

If it is possible, please help speed up the final trial hearing, as it will give me the stimulus to recovery, just as your explanation in Order from April 1, 2014 has given me confidence in my actions.

With gratitude and hope. Sincerely,



Nov. 6, 2014

Abraham Portnov
Plaintiff Pro Se

Sapozhnikov, Galina

From: Galina Sapozhnikov <galinasapo@gmail.com>
Sent: Monday, October 27, 2014 2:47 PM
To: Sapozhnikov, Galina
Subject: Fwd: PORTNOV, ABRAHAM - your potential case

Sent from my iPhone

Begin forwarded message:

From: Abraham -Tosik Portnov <aportnov@hotmail.com>
Date: October 12, 2014 at 8:41:26 PM PDT
To: Galochka Sapo <galinasapo@gmail.com>
Subject: FW: PORTNOV, ABRAHAM - your potential case

Maybe it should be attached to letter to court, but print, just in case, please

From: aportnov@hotmail.com
To: blt@miamidade.gov
Subject: FW: PORTNOV, ABRAHAM - your potential case
Date: Sat, 21 Sep 2013 17:12:37 -0700

Hello.

I spoke to your stuff and to another related (?) to Miami court stuff in order to launch a lawsuit against the Carnival Corp.

I spoke, left the messages, sent the e-mails. For more then 3 weeks that I tried to send my Statement I got the wrong phone numbers, e-mail addresses, not related to the matter questions, etc. Finally, I got the right phone number and e-mail address (thank you, Bonita!) and can check by phone that you received my Plaintiff Statement. When I checked out another addresses whether they get my e-mail they asked me: my phone number, my social insurance number, why I sent e-mail; suggested me to hire a lawyer, transferred to other persons, but nothing about getting my e-mail.

In our conversation yesterday you, Wanda, explained me that my Statement can not be registered without fee payment and all what I need to apply to a court have to be done by attorney, not by myself. And you gave me bar associations e-mail. Thank you. I have tried. I did it from July. I live in Canada, I am Canadian. I tried to find a lawyer to get right forms, fill them out, register to a court. For about 2 months I sent my request to tens law firms and to lot of lawyers in Miami, in Florida and in other places, and in Canada. No one wanted to represent me or do small work for applying to a court. Maybe most of Miami lawyers now know my potential case against Carnival Corp. They want easy get a big money, doing a "hard fight". In my case they do not see physical injure and clear way to get a big money. Yes, the case need more time to study some medicine, political science, similar cases at the world courts, etc. This way can be too hard for their business. Assistance is similar to help. But I don't need help to prove my case in the court.

I am sure I can right to represent myself. For your attention as example I attached a letter from Miami law firm. This is one from a lot of letters I have got. I got it 2 days ago. Lawyer wrought I may represent myself.

No one of lawyers I applied to thought to fight against discriminations, against the cold-bloodedly torture.

I almost prepared to prove my case. All what I need - is open the case in the court.

I did not send the private letter, I sent a document. The document should not be through to garbage can, it should be registered with the right date in any case. I asked and am asking now to do this and e-mail me a copy. Please.

And , please, send me a copy of the fee payment forms and an information about fee, as I asked your and not only your stuff.

Should I pay fee if in Canada our (my wife and my) income is about \$2100/month? If not, the amount of fee will not depend of amount of the claim. The registration of my Statement does not mean the beginning of court action. If it needs I will send the fee payment and all related to this documents. In my Statement I marked that amount of claim will determine during the court action.

Now I can determine it for several hundreds thousands.

I am asking not block my applications to the court. If you think I do need something, please, send me information by e-mail, not by phone.

Excuse me for my emotion. For that what my wife and I got on Marth5, 2013 and later I had enough patience.

Thank you. Sincerely, Abraham Portnov.

From: afernandez@aronfeld.com
To: aportnov@hotmail.com
CC: dlazzara@aronfeld.com; bstein@aronfeld.com
Date: Fri, 20 Sep 2013 12:13:30 -0400
Subject: PORTNOV, ABRAHAM - your potential case

Friday, September 20, 2013

VIA EMAIL

Anthony Portnov

RE: Your Potential Claim

Dear Anthony:

Thank you for your confidence in seeking our legal opinion. However, we regret to inform you that we are unable to represent you and will have to close this file.

Please be mindful that there are Statutes of Limitations which apply to your claim. Therefore, you should contact either another attorney or pursue this matter on your own. Failure to act within the required time from the date of the incident will result in all claims and rights being forever barred. Please do not construe my law firm's decision as a definitive opinion on the merits of your potential claim.

We wish you the best and want you to know that we are always available to help you or anyone you know if needed on another matter in the future. Spencer Aronfeld is Board Certified by both the Florida Bar and National Board of Trial Advocacy and is nationally recognized as a specialist in Personal Injury and Civil Trials.

We handle all kinds of personal injury matters including medical malpractice, car accidents, slip and falls, cruise ship injuries, bicycle injury cases, defective products (including Chinese Drywall) and wrongful death. For more information, go to www.aronfeld.com or simply call us at 866.597.4529.

Very truly yours,

ARONFELD TRIAL LAWYERS

A handwritten signature in black ink, appearing to be 'D. Lazzara', with a long horizontal line extending to the right.

Domenick Giovanni Lazzara, Esquire

Best Regards,

ARONFELD TRIAL LAWYERS

Adam Fernandez

Legal Assistant

ARONFELD

TRIAL LAWYERS

Adam Fernandez

Legal Assistant

3132 Ponce de Leon Boulevard
Coral Gables, Florida 33134 USA

P: 305.441.0440

F: 305.441.0198

E: Afernandez@aronfeld.com

www.aronfeld.com

From: aportnov@hotmail.com
To: whoskn@miamidade.gov
Subject: To Mrs. W. Hoskins
Date: Mon, 7 Oct 2013 17:38:40 -0700

Hello, Mrs. W. Hoskins.

Thank you for your letter and for professional explanation in it. On September 29, 2013 I sent to Clerk's office a letter. I will repeat some. In the Plaintiff Statement I indicated that the amount of claim will be much more then \$15.000 and will be determent during the court action. I will fight for hundreds thousands. I continued to find an attorney and couldn't find even for assistance in filling my case. One can see in my former letter about this. And only one of attorney send me letter and wrought that I can do it by myself.

I think that I don't need a legal advice and don't ask the clerks to do illegal actions. If I have a right forms and maybe some instructions(to send them is not illegal actions) I will be able to fill them up and send by e-mail instead to fly to Miami to do this.

As I know, even later something can be amended before court action.

Please help me to register a legal case. I hope to hear back from you.

Thank you. Sincerely, Abraham Portnov.

From: aportnov@hotmail.com
To: whoskn@miamidade.gov
Subject: An appreciation
Date: Tue, 8 Oct 2013 10:22:06 -0700

Thank you, Mrs. W. Hoskins. I will continue to find someone for assistance in filing my case but I do not hope. How one can apply without forms if the court doesn't has it? Is it not enough the Plaintiff Statement? Is it not enough to submit to court Plaintiff Statement and an Application for Indigent for registration the case? To explain the requirements and the place when can get the right forms are not illegal actions. This actions will not influence for court decision. As I understand, an advice that can influence to case may be qualify as illegal. But to give a legal help is not illegal action. Any way, thank you a lot.
Sincerely, Abraham Portnov.

Sorry for bad quality.
They are for first short evidence
to the letter.

One may throw them out.
I will print much more with good
quality and bring them to the court
hearing.

Sincerely, *Abraham Portnov*
Abraham Portnov.

November 6, 2014